

## SPEECH

OF

## HON. S. S. COX, OF OHIO.

DELIVERED IN THE HOUSE OF REPRESENTATIVES, DECEMBER 17, 1861.

Mr. COX, from the Committee on Foreign Affairs, having reported a bill for the relief of the owner of the British ship *Perthshire*, which was read a first and second time, he addressed the House as follows:

Mr. SPEAKER, I will state, for the information of the House, that this bill was drawn by the Secretary of State, in accordance with the recommendation of the President in his annual message. On page 5 of the message he invites the attention of Congress to the correspondence between her Britannic Majesty's minister accredited to this government and the Secretary of State, relative to the detention of the British ship *Perthshire*, in June last, for a supposed breach of the blockade; and he says:

"As this detention was occasioned by an obvious misapprehension of the facts, and as justice requires that we should commit no belligerent act not founded in strict right, as sanctioned by public law, I recommend that an appropriation be made to satisfy the reasonable demand of the owners of the vessel for her detention."

I have examined the documents referred to by the Secretary of State very carefully, and from them I glean the facts which I will state briefly to the House. The *Perthshire* is a British ship, owned in Hartlepool, England. She sailed thence under a charter for a Liverpool merchant, intending to go to Pensacola for the purpose of getting a cargo of timber for the United Kingdom. When she got to Pensacola she was informed by the officers in command of our squadron there that the blockade had begun there already; she was warned off. Under her charter she had the privilege, with the consent of the agent of the owner at Pensacola, to go to the port of Mobile. She asked the question of the commander of our squadron at Pensacola, whether the blockade was in force at Mobile? He told the captain of the *Perthshire* that the blockade was not in force there. She then sailed for Mobile and arrived there on the 14th of May. The blockade of Mobile began on the 20th of May. At Mobile she loaded a cargo of cotton and sailed on the 30th of May, after the blockade had commenced, but within the time allowed by the proclamation of the President for vessels to go out. When she came out she was again overhauled by our steamers, but was permitted to go on. She sailed above two hundred miles, and was again overhauled by the steamer *Massachusetts*, whose captain put a prize crew of twenty-nine men and two officers on board of her and sent her back to Pensacola. She was thus detained some twelve days, the prize crew meantime living upon the ship's stores. When she reached Pensacola, the captain of our squadron there, on examining her papers, dismissed her to go upon her voyage—dismissed her without paying damages for the seizure and detention. Under these circumstances the British government complained earnestly, and Lord Lyons laid the case before Mr. Seward. Mr. Seward caused an examination to be made by the Navy Department, and on that examination he recommends that we should do justice in this particular case to Great Britain.

Now, Mr. Speaker, I do not believe, so far as a case of this kind is concerned, that there can be any objection to the House coming up promptly and doing its whole duty to the British government. Wherever our officers have been remiss, or in any way have infringed upon the maritime rights of Great Britain, our government now, as they always have been, are prompt to respond in a case which is perfectly right, as I believe this to be. The amount is inconsiderable,

but prompt action at this time will have a great deal of significance. I would not to-day bring in this bill if I believed that any inference would be drawn from its passage that it was dictated by any concession to British arrogance. I would not ask this House even to do a matter of right under a threat from Great Britain, or under the dictation of her arrogance or passion; but in order that we may demand our rights of Great Britain, we should always be ready to do right towards her.

In the jealous defence of our maritime rights our officers may exceed their duty. The moment that is ascertained, as it is in this instance, the government will take pride in according satisfaction. Our government must do its duty in order to assert its rights.

It is to be hoped that the action of this House, at least towards foreign Powers, will show a wise and just conciliation without any timid or time-serving submission. While we would not yield one inch to any servile fear or ungenerous compulsion, such as is threatened by the late news from England, it is becoming the dignity of the Republic promptly to remedy grievances. Thus we are triply armed to demand prerogatives belonging to our nationality, both at home and abroad.

Great Britain should, and I trust will, meet us in this spirit, when we demand of her why it is that she has afforded an asylum in Southampton harbor to the Nashville. Without nationality, without even the pretense of a barbarous privateering commission; and after bearing an envoy of the rebels [Colonel Peyton] to Great Britain; after overhauling the Harvey Birch upon the high seas, almost within sight of the shores of England; after dragging down the stars and stripes from that ship, and raising instead that strange banner of triple-striped infamy; after ironing her crew, and with the red hand of the bold buccaneer burning her to the water's edge; after all this, the Nashville has found a hospitable asylum in the harbor of Southampton, to be refitted for another outrage with warlike armaments from English store-houses!

We have a right to demand how it is that she is permitted thus to refit. We have a right to demand whether that is in accordance with her much boasted but ill disguised neutrality. We have a right to know, after Great Britain has assumed her position of neutrality and assumed it voluntarily and in defiance of our protest, how it is that, consistently with that assumption she can give aid and comfort and warlike stores to this ship Nashville, for the very purpose of enabling her again to make roving inroads upon our commerce? I think, so far as I know anything of the case of the Nashville, that the English people, if not the English Government, have acted as accessories after the fact to the piracy committed upon our commerce.

She cannot complain, then, that in the midst of the great national peril that overshadows us, and while the public nerve is so acutely sensitive to the very least indignity—she cannot complain that we, in our great tribulation, should ask of her to do right as a neutral, since she has assumed that position. In connection with the case that I have presented to the House, I will now, for a very few moments only, call the attention of the House to the position which our Government assumes with reference to the case of the Trent. I say our Government assumes a position. True, the President has in his message preserved a discreet reticence with reference to it; but this House in the first hours of its session, and the Secretary of the Navy in his report, have justified Captain Wilkes for his performance. Honors have been showered upon him. His heroism has been lauded. I assume that our Government, by not disapproving, at least, has sanctioned his conduct on the highest principles of international justice.

From the most careful examination of these principles, applied to the case of the Trent, I believe that we have never, in the history of diplomacy, had a clearer case of indisputable right on the high seas. Such will be the opinion of every publicist who will look into the matter with a mind unwarped by pride or prejudice.

The other day, at the beginning of this session, the gentleman from Illinois [Mr. LOVEJOY] introduced his resolution approving the conduct of Captain Wilkes. I voted for that resolution. I approve of that action of Commodore Wilkes, because it was founded on international right. This matter came again before the House yesterday; and lo! in the face of the morning news which echoed with the roar of the English lion, there seemed to be a different spirit

on the other side of the House! I hope that the House did not intend on yesterday to express an opinion adverse to our rights in the case of the Trent, by referring the matter to the Committee on Foreign Affairs. I believe that, when the matter is discussed by that committee and reported to the House, the committee and the House will stand together by our rights in the premises. But I was reluctant to vote for its reference; not because the members of that committee will not examine it fully and do their duty to the country, but because my own opinion was foregone and had been expressed on the resolution of the gentleman from Illinois. The more I examined it the more I am satisfied that, in regard to this question, this Government stands in a position to defend herself in any forum before the world.

Mr. COLFAX. Will the gentleman from Ohio allow me to make a single word of explanation?

Mr. COX. With pleasure.

Mr. COLFAX. I desire to say to my friend from Ohio that, in common with many other members, I voted yesterday for the reference of the resolution to the Committee on Foreign Affairs because I thought that, standing as we may probably be on the brink of war, it was the duty of the American Congress to send out whatever it declared gravely, deliberately, solemnly, as the emanation of a standing committee, and not as the mere impulse of a solitary member.

Mr. VALLANDIGHAM. Will the gentleman from Indiana be kind enough to explain why those considerations which he urges with such force just now, did not occur to him on the first day of the session when he proposed to imprison one of those men?

Mr. COLFAX. I will do so with great pleasure.

Mr. VALLANDIGHAM. He had not heard from England at the time, peradventure.

Mr. COLFAX. My resolution in reference to Mr. Mason was in reference to a man who had taken an oath as a Senator of the United States to support the Constitution of the country, and had violated it. He was not only a traitor, but he had violated his oath. He was in our hands, and I proposed to imprison him and subject him to treatment corresponding with that shown to Colonel Corcoran. When we come to deal as a nation, with foreign nations, that is, of course, a different matter.

Mr. VALLANDIGHAM. I ask the gentleman from Indiana whether there is to-day any less violation of their oaths on the part of Mason and Slideil than there was the first day of the session? Are they any less traitors now than they were then? If so, what makes the difference?

Mr. COX. I must arrest this interlocutory debate.

Mr. COLFAX. I am still in favor of meting out the same treatment to them as Colonel Corcoran receives.

Mr. VALLANDIGHAM. These men will be surrendered before three months in the face of a threat. I make that prediction here to-day.

Mr. COLFAX. I disbelieve it.

Mr. COX. I hope that the prediction of my colleague will never be fulfilled. I have some faith in the sagacity of our Secretary of State, too much faith in the honor of the people of the country, to believe that they will ever permit their Government, in a case of clear right, to so dishonor them. The honor of a nation is its credit; its credit is its commerce; its commerce is its cash; and its cash brings with it the comforts and refinements of civilization. Where you touch the cash you have a powerful argument with any nation. The pecuniary argument is, with the majority, generally stronger than the moral argument. When moral influences combine with pecuniary, they are irresistible. The people of the country, however, will stand, as a point of honor, by the rights to which they are entitled on land or sea. They will look with jealousy on anything that has a tendency towards impairing their nationality, either at home or abroad. When they fail in this they deserve expatriation from this the cushioned part of God's footstool given in high trust to their keeping.

I was about to state the proposition on which I believe the Government can plant itself in this matter. I do not propose now to argue it elaborately. I will cite but few authorities. The public newspapers have been teeming with authorities, some relevant and some irrelevant.

Mr. LOVEJOY. I rise to a question of order. My point of order is, that

the remarks of the gentleman from Ohio are wholly irrelevant to the question before the House, which is a question as to the detention of the *Perthshire*. The general discussion of our relations with England is not in order here.

Mr. COX. If I could only put the "African" into the question, no doubt it would be relevant. I propose to show a direct connection between our according the rights that are due to Great Britain and our demanding our own rights in return. Therefore my argument is logical and pertinent.

Mr. LOVEJOY. My point is, that the payment of this \$1,000 in the case of the *Perthshire* has nothing whatever to do with our general relations with Great Britain, and nothing to do with Slidell and Mason, or their arrest.

The SPEAKER *pro tempore*, (Mr. ALDRICH in the chair.) The Chair decides that the gentleman from Ohio is in order.

Mr. COX. I will show the gentleman immediately that I am in order. I am going to make the connection, (laughter,) and will do it without the aid of the negro. The principle on which we will accord justice to England, and on which we shall demand justice from England, is to demand our rights and do our duty in return. Our justification in the case of the *Trent* is, that her act was one of hostility in bearing these ambassadors; and hostility, whether it consist in carrying dispatches, envoys, or other and worse than contraband, in a neutral merchant ship.

It will not do to answer that no case like this has ever been adjudged. Nearly all the Spanish-American ambassadors, during the revolutions of their States, that have been sent between this continent and Europe, have been sent either in British or American ships, and have never been interfered with. European ambassadors, passing from nation to nation have, by reason of the geographical relations of the countries, never been disturbed; and hence specific cases of this nature have not arisen hitherto. But nevertheless, Mr. Speaker, the general principles involved have been laid down by our best international lawyers, and by the best judges in the English courts. I will read an extract from a letter written the other day by the distinguished ex-Attorney General, Mr. Cushing, as to the point why no precedent has been made especially with regard to ambassadors. He says:

"Considering the geography of Europe, and the relations of European Powers, one to another, it would seldom happen to be necessary or expedient to dispatch ambassadors by sea, except as between Great Britain and the continent. To any such mission Great Britain must have been a voluntary party, unless it were a hostile mission to or from insurgents of her own in Scotland or Ireland, in which case we may be sure the minister would have had to take the risk of capture, whether on board a belligerent or neutral bottom.

But the principle which covers this case of ambassadors is most cogently stated by Phillimore, by Lord Stowell, in *6 Robinson*.

Mr. OLIN. I rise to a question of order. I submit that debate upon the question of the seizure from the *Trent* of the rebel ambassadors on board, is not necessarily involved in the discussion of the bill before the House. I regard all such discussion as unnecessary and premature at this time.

Mr. COX. I hope the gentleman will allow me to proceed. I had nearly finished what I have to say on this question. I will show him directly the pertinency of what I am saying.

The SPEAKER. The gentleman from New York rises to the question of order, that upon a bill proposing to pay a British subject for losses incurred in arresting his vessel while endeavoring to break the blockade, it is not in order to discuss the detention and seizure of Mason and Slidell.

Mr. COX. Mr. Speaker, let me say one word before the question is decided.

Mr. OLIN. Not unless the Chair also hears me upon the question of order.

The SPEAKER. The gentleman from Ohio is entitled to be heard upon the point of order.

Mr. OLIN. Is the question of order debatable?

The SPEAKER. The Chair supposes it is.

Mr. OLIN. Then I wish to be heard.

The SPEAKER. The gentleman must confine his remarks strictly to the question of order.

Mr. OLIN. Certainly; I will discuss that alone. The bill before the House simply involves an inquiry into the legality of the seizure of a British vessel, and the detention of that vessel, and the question of the propriety of paying an indemnity for that detention. That vessel and that question are as entirely distinct from the question involved in the seizure and detention of Mason and

Slidell as it is possible for one question to be different from another—each question depending upon its own peculiar circumstances, and entirely disconnected from the other.

The SPEAKER. The gentleman from New York will suspend for a moment. The Chair believes he made an erroneous decision in stating that the question of order was debatable. The Chair hopes, however, the gentleman will confine himself strictly to the question under consideration.

Mr. COX. I will do so.

Mr. LOVEJOY. I appeal from the decision of the Chair.

Mr. OLIN. Do I understand the Chair to decide that the gentleman's remarks were pertinent to the bill under consideration?

Mr. COX. I call the gentleman from New York to order. He has no right to the floor.

The SPEAKER. The gentleman from Ohio is entitled to the floor when the question of order has been decided. The gentleman from Illinois appeals from the decision of the Chair. No debate is in order upon that.

Mr. OLIN. The gentleman from Illinois, I presume, does not understand the ruling of the Chair.

Mr. COX. I call the member from New York to order.

The SPEAKER. The Chair has decided that no debate is in order.

Mr. OLIN. Is it out of order to inquire what was the ruling of the Chair?

The SPEAKER. It is not.

Mr. OLIN. Do I understand the Chair to rule that the discussion of the seizure of Mason and Slidell is involved in the discussion of the bill before the House?

The SPEAKER. The gentleman from Ohio was discussing this bill, and in doing so, discussed the seizure of the Trent. The gentleman from New York submitted the question of order that the discussion of that subject was irrelevant to the question under consideration. The Chair decided that the line of remark might possibly come within the rule, but hoped the gentleman from Ohio would confine himself strictly to the bill under consideration. From this decision the gentleman from Illinois takes an appeal. (Laughter.)

Mr. COX. I desire to show that by the passage of this bill, and thus doing entire justice to Great Britain in the case of the Perthshire, this government would place itself in a better position to demand justice of Great Britain in the matter which I was discussing when interrupted. I anticipated this question of order in arranging my thoughts, and I placed them in such connection as to give them relevancy to the bill under consideration. I do not understand why it is that some gentlemen in the House are so peculiarly sensitive to the discussion of this international question. They were ready, very ready, to vote upon it at the beginning of the session. They were prompt, very prompt, in voting, without reference, for the resolution of the gentleman from Illinois, [Mr. Lovejoy.] I do not understand why it is that an act which has been endorsed by the Secretary of the Navy, as well as by the House itself, should provoke such irritating points of order. It should have, sir, a full and ample discussion. I proceed with my part of it.

The principle which regulates these international questions is this: It has been decided that a neutral ship bearing dispatches in time of war shall be confiscated, and if confiscate when bearing dispatches, *a fortiori*, if such vessel bears ambassadors, who are of far greater consequence than dispatches. The mission of ambassadors is of far more importance than battalions of armed men and whole cargoes of shot, shell, guns, sabers, and other contraband. An ambassador may carry in himself alliances which will give credit, raise loans and armies, and even solve revolutions. The ambassador of this government, in our revolution, consummated alliances and made treaties and loans, which enabled us to secure recognition and independence. Then there is in this case a stronger reason why the vessel should be confiscated when she bears that which is much more important to the enemy than contraband or dispatches. Our ambassador in the revolution, Mr. Laurens, was considered of so much importance by the British government that they exchanged him for Lord Cornwallis, the commander-in-chief. And so in this case, these ambassadors, recognized as such by the President of their so-called Confederate States in his message, are of fifty-fold more importance than merely articles contraband of war.

Now, the right, in time of war, of every belligerent ship to search all vessels, except national vessels, for contraband, has never been denied. The Queen's proclamation proceeded upon this principle. Hautfeuille propounds this doctrine. Chief Justice Marshall recognized it in the *Santissima Trinidad* case, (7 Wheaton, 283.)

"Two publicists, Wheaton and Ortolan, adopting the opinion of the English judges, look upon the transport of dispatches by a neutral as an act quite as grave as the transport of troops, and as leading to the confiscation of the neutral vessel."

Such is the language of Hautfeuille. Hostile dispatches are in the same category with contraband. (Chitty's Law of Nations, p. 147; Phillimore, 368, 370; 1 Kent, 154; Wheaton, 529.)

In the case of the *Orozembo*, which carried three soldiers and two civilians in the Dutch service from Macao to Batavia, Sir William Scott held:

"That a vessel hired by the enemy for the conveyance of military persons is to be considered as a transport subject to condemnation has been in a recent case held by this court, and on other occasions. What is the number of military persons that shall constitute such a case it may be difficult to define. In the former case there were many, in the present there are much fewer in number; but I accede to what has been observed in argument, that number alone is an insignificant circumstance in the considerations on which the principles of law on this subject is built, since fewer persons of high quality and character may be of more importance than a much greater number of persons of lower condition. To send out one veteran general of France to take the command of the forces at Batavia might be a much more noxious act than the conveyance of a whole regiment. The consequences of such assistance are greater, and therefore it is what the belligerent has a stronger right to prevent and punish. In this instance the military persons are three, and there are besides two other persons, who were going to be employed in civil capacities in the government of Batavia. Whether the principle would apply to them alone, I do not feel it necessary to determine. I am not aware of any case in which that question has been agitated, but it appears to me, on principle, to be but reasonable that whenever it is of sufficient importance to that enemy that such persons should be sent out on the public service at the public expense, it should afford equal ground of forfeiture against the vessel that may be let out for a purpose so intimately connected with the hostile operations."

The same principle is held in Hazlett & Roache's Manual of Maritime Warfare, page 293. It is strongly stated, in its reason and principle, by Lord Stowell in the case of the *Maria*. (1 Robinson, 340,) as follows:

"The right of visiting and searching merchant ships upon the high seas, whatever be the ships, whatever be the cargoes, whatever be the destinations, is an incontestable right of the lawfully commissioned cruisers of a belligerent nation." \* \* \* "This right is so clear in principle that no man can deny it who admits the legality of marine capture." \* \* \* "The right is equally clear in practice, for practice is uniform and universal upon this subject. The many European treaties which refer to this right, refer to it as pre-existing and merely regulate the exercise of it. All writers upon the law of nations unanimously acknowledge it. In short, no man in the least degree conversant with subjects of this kind has ever, that I know of, breathed a doubt upon it."

In the case of the *Atalanta*, decided in 1808, (6 Robinson, 440,) the learned judge said:

"Nor let it be supposed that it is an act of light or casual importance. The consequence of such a service is indefinite—infinity beyond the effect of any contraband that can be conveyed. The carrying of even two cargoes of stores is necessarily an assistance of a limited nature; but in the transmission of the dispatches may be conveyed the entire plan of a campaign that may defeat all the projects of the other belligerent in that quarter of the world."

In a subsequent case, when the dispatches were in course of conveyance, not from the colonies of the enemy, but from a State in comity, and from the public ambassador of the enemy, residing in that State, to his own Government, Sir Wm. Scott restored the vessel's cargo on payment of the captor's expenses; thus holding the search and capture justifiable. In distinguishing this case from the preceding, he said:

"I have before said that persons discharging the function of ambassadors are, in a peculiar manner, objects of the protection and favor of the law of nations. The limits that are assigned to the operations of war against them, by Vattel, and other writers upon these subjects, are, that you may exercise your right of war against them wherever the character of hostility exists; *you may stop the ambassador of your enemy on his passage, &c.*"—*The Caroline*, 6 Rob., 461-468.

Mr. Cushing, in his perceptive and able discussion of this subject, maintains the principle by which this question can be determined. From his abundant learning in international law and his cogent logic, he deduces the doctrine which I venture to say no English jurist will dispute. He says:

"The belligerent seizures of enemy's despatches and military persons, although not precisely in point as cases, are yet the common corollaries of the same principle as the arrest

of enemy ambassadors. To argue the contrary would be to make the law of nations a mere collection of detached facts, instead of a system of doctrines and principles. That is not so. New or doubtful cases may occur, innovations may be accomplished or attempted, in the law of nations, as in any branch of municipal law; but principle remains, doctrines subsist, general rules are to be reasoned out for the guidance of nations and of men, as well in the juridical relation of nations as of men. And the doctrine here is that of contraband of war; the principle that of the duty of all neutral Governments to abstain from affording military aid to either recognized belligerent; and in like manner, to abstain from affording political aid to the insurgents of another Government, save when the time may have come, if ever it shall come, to treat such insurgents as a new, independent State, and to do that even at the risk and responsibility of war with the legitimate Government."

I might add to this the authority of Mr. Everett, and to his, the opinion which I received to-day in a letter from a statesman now in retirement, who has served his country as a diplomatist at two of the leading courts of Europe, besides filling our office of Secretary of State with consummate ability. The case of the Trent in their judgment is embraced within the reason of the rule laid down for dispatches and contraband.

The more this question is examined the more impregnable is our position. Nor is there anything in our previous diplomacy to weaken it. I had supposed, before examining the question, that we were precluded by our previous conduct from asserting this principle. But the question upon which this Government once went to war with Great Britain was in resistance of her claim to take from our ships British *subjects*—not ambassadors. Nor does our denial of the right of search, which was involved in the slave trade, preclude us from asserting the position I maintain. That doctrine had reference exclusively to a *time of peace*. There is nothing, then, in our diplomatic record to weaken our position.

It is enough now for us that on this ground we may safely say to England: "Fulfill your neutral obligations. Until you do so, you cannot quarrel with us for the exercise of our most indubitable right. If you insist on belligerent rights, between North and South, do not, as a neutral, help the one belligerent to the detriment of the other, for, as Vattel and all publicists hold, this is fraud."

In this spirit alone can our relations towards Great Britain continue amicable. We will readily yield her rightful demands as in this case of the Perthshire. We yield nothing—nothing, nothing to her arrogance, passion, or pride, when we are clearly in the right. The letter of General Jackson to Livingston, the original of which was read by the historian Bancroft at a New York meeting, and applied by him to disunionists here, may be as appropriately applied to their sympathizers abroad: "The Union must be preserved without blood, if this be possible; but it must be preserved at all hazard, and at any price." This Jacksonian talk has ever been my rule of action here: "the Union, without bloodshed, if possible; BUT THE UNION AT ALL HAZARD AND AT ANY PRICE." So with our honor among the nations. For it is this, and thus only, that in the gigantic conflict for our national existence, we will avoid entanglement and conflict with nations whose material interests, as they think, depend upon our discomfiture, and whose chronic jealousy of our republican success has led their rulers to hail our anticipated disruption and ruin with delight.

We are, sir, in this country too sensitive of foreign opinion. Mr. Seward said well when he told Mr. Dayton that it was no business of our ambassadors to overhear what the foreign press or foreign ministers said about us. Our duty was to maintain our Union in its integrity, and our position as a leading Power among mankind, regardless of the machinations of rebels at home, and the derision and hostility of kings and aristocrats abroad. I know that we naturally dislike to have our institutions misrepresented, and our destruction predicted. There is much in the old Spanish motto, "*De mi rei, so lo yo*"—no one shall speak of our king except ourselves; no one shall speak of our sovereignty but ourselves. I would that we were more indifferent to the poisoned shafts of foreign malice, barbed as they are by aristocratic hate and pretension. We have been very freely scorned by nations whose moral standard is measured by their commercial profit and loss, whose national honor depends upon a cotton pod, whose philanthropy has been an intermeddling Phariseism, and whose complacent neutrality, so promptly assumed, seems to glory in the humiliation of a kindred and Christian nation, without regret or sympathy, because of its splendid illustration of commercial grandeur, and its defiant adherence to democratic government.

Let us, sir, pursue our duty to the age and the nation with unruffled composure and determined will. Heaven does not desert the undismayed. Even though there may be foreign troubles impending, for us to despair now is to die. I like, Mr. Speaker, the motto of the old Romans, which I have, in this hour of our trial, often commended to my constituents, "never to despair of the Republic." They inscribed it upon the lintel of their doors, and emblazoned it upon their temples. It was upon the lips of the people, it was in the mouths of their orators, "never to despair of the Republic;" and when a Roman general, even in the agony of his defeat, gave out the inspiring words, "never to despair of the Republic," a Roman Senate voted him a triumphal entry within the imperial gates.

Let us fling aside the burden of our national woe, lament nothing of the irrevocable past, dare all that is just and constitutional, make no cruel and disastrous diversions from the great object of rescuing our nationality, crush as we would a nest of adders those who would impair its proportions as well as those who would turn us from that object to other and ignoble objects, involving fresh divisions, broken armies, social revolutions, incalculable taxation, compulsory drafting, servile insurrections, standing armies, martial dictators, guerrilla banditti, lawless plundering, perpetual penalties, and eternal hates; and move, each and all, heart, soul body, men, means, munitions, intelligence, and patriotism, to the grand and only object—the restoration of our dismantled Union. Let us stop this tampering with our oaths to the Constitution under the devil's plea of "necessity;" and believing that the Constitution is sufficient for every emergency, in peace or war, at home and abroad, rally for its defence against all infractions of it, whether made by the powers which are sworn to execute it, or the factions which are working to overturn it. Thus feeling and thus acting, we may emerge from this strife of struggling States, and, like the fabled demigod, receive added strength from our very prostration. If, sir, we observe the rules of right and honor in regulating our conduct abroad, if we pursue the object of the war that is now upon us, as the President proclaimed it to the people, as the soldiers of the Republic understand it, as the House resolved it in the Crittenden resolutions, and as the Constitution and the Union demand, we may be assured that our warlike resources, the intelligence and valor of the masses, the very physical geography of the country, and God himself, will fight for us against this rebellion. I believe that Providence has marked upon the face of this continent—written in lines never to be erased—that this Union, as it was, shall remain, one and indivisible. I believe in the idea suggested by Mr. Everett, that our physical geography binds us and bars us together. He said that before this Union could be permanently broken, the Alleghenies must bow their heads to the ocean, and the Mississippi and the Missouri roll back their currents to the Rocky Mountains. If we would assure to posterity the political Union we have lived under so happily, we should forget all thoughts of vengeance, seize, with statesmanlike sagacity, upon the elements of unity we have even yet in our unhappy land, and mold them in the spirit of conciliation and wisdom, keeping out of these Halls fatal and disastrous discussions on inflammatory and sectional topics; keeping the one holy object before us for which the lives of our brave soldiers are so freely offered, and the millions of our means are so freely expended. With this object nobly pursued, God will be with us, and our arms will prevail!

We have many elements of Union. We have as yet a common blood, a common language, a common heritage, a common ancestry, a common history, a common glory, and a common faith in the same Heavenly Father. Thanks to their courageous patriotism, we have many of the noblest men from the South still with us, taking their part in our legislation, and sharing the perils of the Republic. They sit around me, with eye unblenched and spirit unbroken. I am ready to heed now, as I have always heeded, their counsel, when they tell us how rightly to mold these elements of Union for its restoration.

Mr. Speaker, if we would thus act all may yet be well. We may come from this great struggle strengthened and purified by sacrifice, more young, more exultant, more progressive, and inspired with a purer if not so ostentatious a consciousness of our great destiny, under Providence. I move you, sir, therefore, that this bill I have discussed preliminarily may be put on its passage.